

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

TRANSFER CIVIL MISCELLANEOUS PETITION No.782 OF 2016

ORDER:

Heard. Proof of service of notice to the respondent in person acknowledged on 21.12.2017 is filed.

The main contention in the Transfer Petition pursuant to the earlier order of the Court dated 17.06.2015 in Tr.C.M.P. No.93 of 2015 on the application of the present Transfer Petition respondent as petitioner therein in seeking transfer from Judge Family Court, Visakhapatnam to Senior Civil Judge Court, Bhimavaram is that though it was considered the Family Court, mainly provided to deal with the matters and there are certain advantages in case of trial with special effort for reconciliation from the special provisions of the Family Courts Act, 1984 (for short, 'the Act'), including as to admissibility of any evidence and on the scope, particularly, with reference to Section 14 of the Act and by transfer to the Senior Civil Judge, Bhimavaram both parties are losing that valuable right of adjudication after any efforts of reconciliation before the Family Court.

Having regard to the above, and to sub-serve the ends of justice, withdrawing from the Senior Civil Judge, Bhimavaram of the O.P. presently pending as 94/2015 by transferring to the Judge Family Court at Rajahmundry which is convenient with train facility for both parties from Bhimavaram to Rajahmundry and Visakhapatnam to Rajahmundry, with a direction to the Senior Civil Judge, Bhimavaram to immediately transmit the record to the Judge Family Court at Rajahmundry, to number the same and proceed accordingly.

Accordingly, the Transfer Civil Miscellaneous Petition is allowed.

As a sequel miscellaneous petitions, if any, pending in this Transfer
Civil Miscellaneous Petition shall stand closed. No order as to costs.

Dr. B. SIVA SANKARA RAO, J

Date: 27.12.2017.
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